

APPENDIX A - MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
STANDARD LICENSE CONDITIONS FOR OVERBOARD DISCHARGES
OF LESS THAN 2,000 GALLONS PER DAY

I. GENERAL COMPLIANCE

A. The licensee shall comply with all terms and conditions of this license. Any noncompliance is a violation of State law and the Clean Water Act and is grounds for enforcement action; for license termination, revocation and reissuance, or modification; or denial of a license renewal application. Any person who violates any provision of the laws administered by the Department, including without limitation, a violation of the terms of any order, rule license, license, approval or decision of the Board or Commissioner is subject to the penalties set forth in 38 MRSA, §349.

B. The discharge must be consistent with the terms and conditions of this license. **Changes that increase the estimated discharge volume are prohibited.** Any planned or actual facility modifications that may result in an increased discharge amount or change the discharge characteristics must be reported to the Department of Environmental Protection (hereinafter: the Department). Determinations of volume design flow must be based on the wastewater design flows described in CMR Chapter 241 Section 7, the Subsurface Waste Water Disposal Rules (the "Plumbing Code").

Facility modifications that may increase the volume or otherwise affect the characteristics of the discharge include but are not limited to:

1. Residential sources: The construction of additional bedrooms, bunkhouses or dwellings; the conversion of accessory structures to such uses, the creation of waste discharge connections from mobile homes or recreational vehicles, or an increase in the duration of the discharge beyond that authorized in this license.
2. Commercial sources: Construction or renovations that would increase restaurant seating, room capacity or other modifications or changes of use which could reasonably be expected to result in an increase in discharge volume, duration or characteristic.

Changes that increase the estimated discharge volume are a violation of the terms and conditions of this license and are therefore prohibited. Changes or modifications to discharge characteristics without prior Department approval are also a violation of this license.

C. The licensee shall grant Department staff right of entry to the regulated wastewater treatment facility at reasonable times. The licensee shall grant staff unobstructed access to the treatment system and appurtenances (its controls, monitoring and testing equipment) for the purposes of verifying compliance, examining records, sampling the effluent, and inspecting the treatment system and

II. LIMITATIONS OF LICENSE

A. This license does not preclude obtaining other required Federal, State or Municipal licenses

B. The licensee shall comply with all Federal Statutes, regulations, and conditions of licenses applicable to its discharge of wastewater, including but not limited to those requiring the installation of pretreatment facilities or establishment of pretreatment programs.

C. Apart from the installation, maintenance and replacement of the approved or existing treatment system and its appurtenances (waste collection, system controls, monitoring equipment, etc.), this license does not authorize or approve the construction of any facilities or physical structures within the shoreland zone or below the normal high water mark of any waterbody.

D. This license does not authorize any infringement of any other body of law, be it Federal, State or local, nor does it relieve the licensee from civil or criminal penalties for non-compliance.

E. The issuance of this license does not convey any property rights, authorize injury to public or private property or infringement upon another's personal rights.

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III. TREATMENT

- A. The licensee shall maintain the wastewater treatment system including its appurtenances in good working order and operate the system at maximum efficiency at all times.
- B. The wastewater treatment system including its appurtenances must be installed according to Department specifications and be operational prior to the discharge of wastewater.
- C. The effluent from the wastewater treatment system must not exceed the following limits:

Effluent Characteristic		Discharge Limitations	
		Monthly <u>Average</u>	Daily <u>Maximum</u>
Flow			as licensed
5-Day Biochemical Oxygen Demand (BOD)		30 mg/L	50 mg/L
Total Suspended Solids (TSS)		30 mg/L	50 mg/L
Settleable Solids			0.1 ml/L
Fecal coliform Bacteria		15col/100ml	
pH	The pH of the effluent shall not be less than 6.0 or greater than 8.5		

- A. Chlorination or ultraviolet units must be used as a means of disinfection. A minimum detention time of 20 minutes in an approved contact chamber must be provided at all times for chlorinators. The total chlorine residual in the effluent must at no time cause any demonstrable harm to aquatic life in the receiving water. The total chlorine residual of the effluent may not exceed 1.0 mg/L at any time.
- B. The final effluent pipe must be placed in the receiving waters in such a manner that mixing and effective dispersion of the wastewater will be achieved and that contact with the effluent will be minimized.
- C. The licensee shall not discharge or cause to be discharged any materials designated as hazardous or toxic under the provision of Section 12, Federal Water Pollution Control Act, as amended, 33 U.S.C. 1162 (1971) or by the Department or which are known by the licensee to be hazardous or toxic.
- D. The discharge must not have a visible oil sheen, contain foam or floating solids.
- E. The discharge may not contain materials in concentrations or combinations that are hazardous or toxic to aquatic life; nor may it cause turbidity or visible discoloration in the receiving waters to exceed control values measured upstream of the discharge point.
- F. Notwithstanding specific conditions of this license the effluent may not lower that water quality standards or impair the uses designated by the classification of the receiving waters.

IV. NONCOMPLIANCE NOTIFICATION

- A. It is the obligation of the licensee to notify Department staff immediately of any malfunction in any component of the wastewater treatment system. In the event the wastewater treatment system malfunctions, the wastewater discharge is to cease within 24 hours unless authorization to the contrary is obtained from the staff of the Department.

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V. MONITORING AND REPORTING

- A. The licensee shall operate and maintain the facility in accordance with Department specifications and the terms and conditions of this license. The licensee shall install supplementary monitoring, metering or testing equipment at any time during the operation of the treatment facilities as the Department may reasonably require to ensure compliance with license conditions. Metering, monitoring, testing or sampling equipment must be of a design approved by the Department. Disinfection unit and sampling port covers must be accessible at all times.
- B. The licensee shall complete, sign, certify and submit to the staff of the Department any reports, in such form and containing such information as the Department may require.

VI. LICENSE ADMINISTRATION

- A. The permittee shall maintain this license as current, submitting complete applications with all required exhibits for renewals and/or modifications as may be necessary.
- B. The licensee shall pay an annual fee to the Department for the administration of the Overboard Discharge Program and inspection of the applicant's OBD system. Payment of the fee is due within 30 days of receiving a bill from the Department.
- C. Prior to the transfer the ownership of the property, or the facility thereon, a site evaluation must be performed by a licensed site evaluator with experience in designing systems for the replacement of overboard discharges, if one has not been conducted in the previous five years.
- D. In the event that the named licensee transfers ownership of the facility without application by the new owner and subsequent Department approval of a transfer of the associated license, the license granted by the Department continues to authorize a discharge within the limits and subject to the terms and conditions stated in the license, and the parties to the transfer are jointly and severally liable for any violation thereof until such time as the Department approves transfer of issuance of a waste discharge license to the new owner. The Department may in its discretion require the new owner to apply for a new license, or may approve transfer of the existing license upon a satisfactory showing that the new owner can abide by its terms and conditions.
- E. All wastewater will be consigned to a municipal treatment system when said municipal system becomes available. This waste discharge license will automatically expire 90 days after a municipal facility becomes available unless the Board, in writing, for good cause shown extends this time.
- F. The Department reserves the right to make appropriate revisions to this license in order to establish any appropriate effluent limitations, schedule of compliance or other provisions which may be authorized under 38 M.R.S.A., §414-A(5)

SPECIAL CONDITIONS FOR SAND FILTER SYSTEMS

- S-1. At least three days prior to the construction or replacement of the sand filter, the licensee shall contact the Department staff in order that an inspection of the construction may be made.
- S-2. The licensee shall ensure that the septic tank is pumped at least once every three years and that periodic cleaning of the disinfection unit housing chamber is performed as may be necessary for proper disinfection and discharge of treated sanitary wastewater.

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SPECIAL CONDITIONS FOR MECHANICAL TREATMENT SYSTEMS

- M-1. The licensee shall maintain a service contract for any and all treatment equipment and facilities with a service organization acceptable to the Department. A signed copy of the service contract must be forwarded or presented to the Department staff upon request.
- M-2. A tag, provided by the service contractor, must be attached to the treatment system or displayed near the treatment system in an accessible manner. The tag must show the name of the service contractor, the date of the most recent visit by the service contractor and the initials of the person conducting the service.
- M-3. The installed mechanical system must have an alarm system of a design approved by the Department.

DEFINITIONS - FOR THE PURPOSE OF THIS LICENSE, THE FOLLOWING DEFINITIONS APPLY:

- A. Daily Maximum for Concentration: The maximum value not to be exceeded by any composite of grab samples.
- B. Monthly Average for Concentration: The total discharge by weight during a calendar month divided by the number of days in the month that the facility was operating. Where less than daily sampling is required by this license, the monthly average discharge shall be determined by the summation of all the measured daily discharges by weight divided by the number of days during the calendar month when the measurements were made.
- C. Licensee: The person identified in the findings of fact as being granted the license by the Department.
- D. Facility: "Facility" includes the waste discharge system, its appurtenances, and all connected structures that produce wastewater discharge volumes according to this license. Facility shall include unplumbed structures accessory to connected structures (bunkhouses, etc.) which would logically result in an increased discharge volume or change in effluent character.
- E. Sanitary Wastewater: Domestic effluent, having received the licensed level of treatment and disinfection.